

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>SHAWN T. WALKER</b>	:	<b>CIVIL ACTION</b>
<i>Plaintiff,</i>	:	
	:	
v.	:	
	:	
<b>SHANDA MATHIS, et al.,</b>	:	<b>NO. 15-5134</b>
<i>Defendants.</i>	:	

**ORDER**

**AND NOW**, this 19th day of May, 2016, upon consideration of the Commonwealth defendants' motion to dismiss the amended complaint (Doc. No. 10) and the plaintiff Shawn T. Walker's brief in opposition (Doc. No. 16); the plaintiff's motion for leave to file a second amended complaint (Doc. No. 17) and the defendants' brief in opposition (Doc. No. 18); the plaintiff's motion for an extension of time to cure defect in his motion for leave to file a second amended complaint (Doc. No. 19) and the defendants' response (Doc. No. 20); and finally the plaintiff's motion for appointment of counsel (Doc. No. 8), it is hereby **ORDERED** that:

1. The plaintiff's motion for appointment of counsel is **DENIED**;
2. The defendants' motion to dismiss the claims contained in the amended complaint is **GRANTED**;
3. The plaintiff's motion to file a second amended complaint is **DENIED WITHOUT PREJUDICE**;
4. The plaintiff's motion for extension of time to cure defect in his motion to file a second amended complaint is **DENIED WITHOUT PREJUDICE**;

5. The plaintiff may, within 30 days of the date this Order is entered, refile his motion to amend the complaint. The defendants shall have 30 days from the date the plaintiff's motion is filed to respond.

BY THE COURT:

S/Gene E.K. Pratter  
GENE E.K. PRATTER  
UNITED STATES DISTRICT JUDGE